

Calendar No. 837

91st CONGRESS }
2d Session }

SENATE

{ REPORT
No. 91-830

MRS. CUMORAH KENNINGTON ROMNEY

APRIL 30, 1970.—Ordered to be printed

Mr. EASTLAND, from the Committee on the Judiciary,
submitted the following

REPORT

[To accompany S. 2863]

The Committee on the Judiciary, to which was referred the bill (S. 2863) for the relief of Mrs. Cumorah Kennington Romney, having considered the same, reports favorably thereon with amendments and recommends that the bill as amended do pass.

AMENDMENTS

1. Strike all after the enacting clause and insert in lieu thereof, the following:

That, for the purposes of section 201(g) of the Nationality Act of 1940, Mrs. Cumorah Kennington Romney shall be held and considered to have been residing in the United States for a period of five years after attaining the age of sixteen years.

2. Amend the title of the bill so as to read: "A Bill for the relief of Mrs. Cumorah Kennington Romney."

PURPOSE OF THE BILL

The purpose of the bill as amended is to enable the beneficiary to transmit U.S. citizenship to her daughter, Annette Romney. The bill has been amended in accordance with established precedents.

STATEMENT OF FACTS

The beneficiary of the bill is a 41-year-old native-born citizen of the United States who resides in Mexico with her husband, a native of Mexico. Their daughter Annette Romney, the derivative beneficiary of this legislation, is a 20-year-old native and citizen of Mexico who last entered the United States on June 6, 1968, as a visitor and is presently

residing in Layton, Utah. It has been determined that her mother lacked only 4 months of having the required residence in the United States to confer U.S. citizenship on her as required by section 201(g) of the Nationality Act of 1940. She has been unable to provide the documentary proof that her father was also a U.S. citizen at the time of her birth.

A letter, with attached memorandum, dated October 31, 1969, to the chairman of the Senate Committee on the Judiciary from the Commissioner of Immigration and Naturalization with reference to the bill reads as follows:

U.S. DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington, D.C., October 31, 1969.

A-17933937

Hon. JAMES O. EASTLAND,
Chairman, Committee on the Judiciary,
U.S. Senate,
Washington, D.C.

DEAR SENATOR: In response to your request for a report relating to the bill (S. 2863) in behalf of Annette Romney, there is attached a memorandum of information concerning the beneficiary.

The bill would grant the beneficiary permanent residence in the United States as of the date of its enactment, upon payment of the required visa fee, and the Secretary of State shall remove one number during the current or following fiscal year from the total number of immigrant visas which are made available to special immigrants for the Western Hemisphere.

The beneficiary is a native of Mexico and is chargeable to the numerical limitations for immigrants from the Western Hemisphere; however, the beneficiary is statutorily ineligible to adjust her status while in the United States and will be required to obtain an immigrant visa outside this country.

Sincerely,

RAYMOND F. FARRELL,
Commissioner.

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND
NATURALIZATION SERVICE FILES RE S. 2863

The beneficiary, Annette Romney, a native and citizen of Mexico, was born on December 30, 1949. She attended public school in Mexico for 12 years and attended a college in the United States for 1 year. She is employed as a secretary by the community action program, Layton, Utah, and receives a salary of \$300 a month. Her father is a citizen of Mexico and her mother is a citizen of the United States. They reside in Mexico.

On June 6, 1968, the beneficiary was admitted to the United States at El Paso, Tex., as a nonimmigrant visitor for pleasure for 72 hours. On July 12, 1968, she filed an application for certificate of citizenship, claiming citizenship through her parents. This application was subsequently denied on the grounds that her father was unable to establish that he was a

U.S. citizen and her mother did not possess the required residence in the United States to confer citizenship on the beneficiary.

Deportation proceedings have been instituted on the grounds that beneficiary has remained in the United States for a longer period of time than permitted.

In addition, a letter dated February 3, 1970, to the chairman of the Senate Committee on the Judiciary from the Commissioner of Immigration and Naturalization with reference to the bill reads as follows:

U.S. DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington, D.C., February 3, 1970.

HON. JAMES O. EASTLAND,
Chairman, Committee on the Judiciary,
U.S. Senate, Washington, D.C.

DEAR SENATOR: This refers to S. 2863, 91st Congress, in behalf of Annette Christensen, nee Romney.

On December 31, 1969, a visa petition to classify the beneficiary as the immediate relative of a United States citizen was submitted by the beneficiary's spouse. The petition was approved on January 14, 1970, and forwarded to the United States Consulate at Juarez, Chihuahua, Mexico, where it was indicated the beneficiary would make application for issuance of an immigrant visa.

The committee will be informed when the beneficiary is admitted to the United States for permanent residence with the visa. If admission is denied, a full report will be furnished.

Sincerely,

RAYMOND F. FARRELL, *Commissioner.*

Senator Wallace F. Bennett, the author of the bill, has submitted the following information in connection with the case:

U.S. SENATE,
Washington, D.C., November 10, 1969.

HON. JAMES O. EASTLAND,
Chairman, Committee on Judiciary, New Senate Office Building,
Washington, D.C.

DEAR JIM: Enclosed is a file of supporting material relating to my bill (S. 2863) for the relief of Annette Romney.

Miss Romney has been informed that her father never acquired U.S. citizenship. However, her mother lacked a mere 4 months residence in the United States for transmission of her citizenship to her daughter. Since this case could not be handled administratively, I have introduced my private bill in her behalf.

With kind personal regards.

Sincerely,

WALLACE F. BENNETT.

Enclosures.

MAY 23, 1969.

Senator WALLACE F. BENNETT,
U.S. Senate,
Washington, D.C.

DEAR SENATOR BENNETT: I, Annette Romney, case No. CO. 703.399 need some information concerning my case.

To complete the necessary information required by the Immigration Office to complete my case, I need the birth certificate of William Coon, my great grandmother's husband, and the marriage license of William Coon to Elizabeth Burrell, my great grandmother. I now have these papers, but the Immigration Office in Salt Lake City will not accept them because they are church records, not the original papers. We have tried to locate the original papers, but are unable to do so. Several other members of my family have used these papers to get their citizenship papers.

As school is now coming to an end, I need some way of supporting myself. The Immigration Office in Salt Lake City has told me that I cannot accept employment because of my status here in the United States. If I do I will be deported. I have been offered a position at the Weber State College, working in the Library. Mr. Blake, the foreign student counselor at the college, said that I must get permission from you, or the Immigration Office before this work can be made available to me.

Could you please inform me as to this matter as soon as possible? Thanks for the help and advice you have already given me.

Respectfully yours,

ANNETTE ROMNEY.

JANUARY 13, 1968.

Senator WALLACE F. BENNETT,
Salt Lake City, Utah.

DEAR SENATOR BENNETT: I, Annette Romney, daughter of Mr. Reed George Romney and Mrs. Cumorah Kennington Romney, of Colonia Juarez, Chih., Mexico was born December 30, 1949, in Colonia Juarez, Chih., Mexico. My father was born on January 17, 1922, in Colonia Juarez, Chih., Mexico. My mother was born on September 27, 1928, in Preston, Idaho. I entered the United States on June 8, 1968, by way of the El Paso border on a Mexican passport, and arrived in Salt Lake City June 13, 1968. When I arrived in Salt Lake City, I went immediately to the Immigration Office and applied for American citizenship through my mother, whose parents and grandparents for five or six generations back have been citizens of the United States, and have helped a small bit in shaping the future of this country. A few of the more active were: Charles C. Rich, Robert E. Lee, and Harold B. Lee.

According to the Nationality Act of 1940, my mother should have lived in the United States for 5 years after the age of 16 or until she was 21. My mother left the United States just 4 months short of the required period of time, but has continued to maintain her citizenship. When I received notice of the 4-month shortage, I then tried to pursue citizenship through my father's lineage, but failed because my father is the son of the third wife in a polygamous marriage. My grandmother's name was Elizabeth Burrell Romney, and my grandfather's name was Miles Archibald Romney.

When I found I could not get citizenship through my father, mother, or grandmother, I then tried to go through my great grandmother, Elizabeth Braithwaite. My great grandmother married John Burrell March 4, 1876, in England, but left him to come to the United States to join the Latter Day Saints Church. Her husband followed, but died at sea. After arriving in the United States she married William Coon, and established her U.S. citizenship for her and her children through this marriage. I could not get the needed information concerning the marriage of my great grandmother to William Coon from my parents and relatives in Mexico to supply the Immigration Office in Salt Lake City.

After failing to obtain citizenship through my father's lineage in Salt Lake City my parents began working on my papers at the American Consul in El Paso under the direction of Mrs. King. The information that my parents have been supplying Mrs. King was the information that I needed to supply the Office in Salt Lake City and could not get. I do not have full details of this procedure, and as a result I cannot supply you with complete information about the matter. This information can be supplied to you by Mrs. Beatrice King at the American Consul in Ciudad Juarez, Chih., Mexico.

I am enclosing, for your convenience copies of the following documents:

1. Application for American citizenship, by Annette Romney.
2. Birth certificate and translation of Annette Romney.
3. Marriage license of Mr. and Mrs. Reed George Romney.
4. Birth certificate of Cumorah Kennington Romney (mother).
5. Birth certificate and translation of Mr. Reed George Romney (father).
6. Birth certificate of Elizabeth Burrell Romney (grandmother).
7. Birth certificate of Miles Archibald Romney (grandfather).
8. Statement from Mrs. King confirming the procedures in Ciudad Juarez, Chih., Mexico.
9. Notice of departure date from the Immigration Office in Salt Lake City.

On January 10, 1969, I received notice from the Immigration Office to depart from the United States on or before March 8, 1969. I would appreciate it if you can help me as soon as possible before this date.

I would like to become an American citizen so that I can live in the United States, and never have any trouble getting work, or anything else that I would like to do because of citizenship.

I hope that this will help you. I appreciate all the help you can give me.

Sincerely yours,

ANNETTE ROMNEY.

Enclosures.

NOTE.—Some of the enclosures referred to in the letter are contained in the files of the Senate Committee on the Judiciary.

CONSULATE OF THE UNITED STATES OF AMERICA,
Ciudad Juarez, Mexico, December 31, 1968.

MISS ANNETTE ROMNEY,
Layton, Utah.

DEAR MISS ROMNEY: Your letter of December 20th arrived during my absence on leave.

In any case we have not as yet received the most important documents required to establish your eligibility to United States citizenship through your parents.

Your mother did not live in the United States for the required period to enable you to acquire U.S. citizenship through her alone under section 201(g) of the Nationality Act of 1940; therefore, you would be eligible to U.S. citizenship only if your father succeeds in establishing his own right to U.S. citizenship, that is under section 201(a) of the Nationality Act of 1940.

Your father came to the Consulate on November 26, 1968, and filed an application for registration as a U.S. citizen, but it was determined—as was also confirmed to him in our letter sent on the following day—that he needed proof of the marriage of his maternal grandmother to William Coon as well as proof of Mr. Coon's birth in the United States. However, as of this writing we have neither received these documents nor heard from your parents.

Consequently, we cannot at this time give you even an informal opinion regarding your possible eligibility to U.S. citizenship.

Sincerely yours,

BEATRICE J. KING,
American Vice Consul.

UNITED STATES OF MEXICO, STATE OF CHIHUAHUA

Seal of the Civil Register, Colonia Juarez, Casas, Grandes, Chih.

In the name of the Republic of Mexico and as judge of the civil register of this locality, I hereby make known and certify to all those who shall read this document:

That in Book No. 433 of the Birth Section of the Civil Register which is in my charge, on Page 304 there is found an entry which reads as follows:

Entry No. 10. The birth of the female child Annette Romney. Fingerprint of the right thumb of the child.

STATE OF CHIHUAHUA—BIRTH CERTIFICATE

In Colonia Juarez, Chihuahua, District of Casas, Grandes, at 5 p.m. on the 21st (twenty first) day of February of 1950 (one thousand nine hundred and fifty), I had the following persons appear before me, Fernando Ordaz, Judge of the Civil Register: Reed G. Romney, of Mexican nationality, 28 years of age, married, a resident of Colonia Juarez and now living in Colonia Juarez, Chihuahua, and who presented before me a female child to whom he had given the name of ANNETTE ROMNEY, being legal offspring of the aforementioned and of Cumorah Kennington, which child was born at 7 a.m. on the 30th (thirtieth) day of December, 1949, in Colonia Juarez, and he stated that this is the second child of their marriage.

FATHER

Name: Reed G. Romney
Age: 28 years
Occupation: farmer
Nationality: Mexican
Residence: Colonia Juarez

MOTHER

Cumorah Kennington
21 years of age
Housewife
American
Colonia Juarez

PATERNAL GRANDPARENTS

Name: Miles A. Romney
Residence: Deceased

Elizabeth Burrell
Colonia Juarez

MATERNAL GRANDPARENTS

Name: Ira L. Kennington
Residence: Preston, Idaho, USA

Emiline Humpherys
Deceased

WITNESSES

Name: Irvin Romney
Age: 35 years
Occupation: farmer
Residence: Colonia Juarez

Lee Roy Hatch
38 years
Doctor
Colonia Juarez

After reading the above, this act was approved of by the interested parties, and signed by them, to which I, Fernando Ordez, give testimony, as also Reed G. Romney, Irvin Romney, Lee Roy Hatch (Signatures).

This is a true copy of the original, and has been compared and corrected. It was authorized and signed in Colonia Juarez, State of Chihuahua, on the nineteenth day of June of 1968.

NIEVES J. SERRANO,
Judge of the Civil Register.

UNITED STATES OF MEXICO, STATE OF CHIHUAHUA

Seal of the Civil Register of Colonia Juarez, Casas Grandes, Chihuahua.

In the name of the Republic of Mexico and as judge of the Civil Register of this locality, I hereby make known and certify to all those who shall read this document:

That in book No. 53 of the *Birth* Section of the Civil Register which in my charge, on page 65 there is to be found an entry which reads as follows:

In Colonia Juarez, City of Casas Grandes, County of Galeana, at 4:00 p.m. on Thursday, 22nd (twenty-second) day of December of 1927 (one thousand nine hundred and twenty-seven), I had the following persons appear before me, Benigno Chavez, Chief of Police, in charge of the Civil Register: Mr. M. A. Romney originally from St. George, Utah, U.S.A., 58 years of age, farmer, and now living in this area, and who presented before me a living male child born in the same area at 6:00 p.m. on the 27th (twenty-seventh) day of June of 1922 (one thousand nine hundred and twenty-two), to whom he had given the name of Reed Romney, a natural child of the persons appearing before me, whose name is to be on the record in conformity with No. 84 of the code of laws.

The mother appearing is Elizabeth Burrell originally from Sheffield, England, 46 years of age, unmarried. This child presented is a grandson through the paternal line of the deceased Miles P. Romney, and his wife Hanna Hill Romney, and through the maternal line of the deceased John Charles Burrell and his wife Elizabeth Burrell. The witnesses to this act were the citizens, first, Eulalio Munez, adult, single,

artisan, and the second, married, farmer, who lived respectively in this area. After reading the present record to them, it was signed herewith. I testify—E. Chavez, M. A. Romney, Eulalio Munez, Eduardo Turley, (original signatures)

This copy is from the original and I certify that it may be used by the interested party.

COLONIA JUAREZ, CHIH.,
Judge of the Civil Register.

March 14, 1947.

MANUEL TORRES

This document has been translated to the best of my knowledge and ability.

PATRICIA MAYLOCK, L.D.S.

The Church of Jesus Christ of Latter-day Saints	
CERTIFICATE OF BIRTH	Salt Lake City, Utah, <u>1 July 1968</u>
	I hereby certify that the following is a true and accurate extract from the records of The Church of Jesus Christ of Latter-day Saints, which records are in my custody:
	ELIZABETH BURRELL ROMNEY-
	Name <u>Elizabeth Burrell Romney</u>
	Date of birth <u>Sixth day of November, Eighteen Hundred and Eighty-One.</u>
	Place of birth <u>Sheffield, England</u>
	Father's name <u>John Burrell</u>
	Mother's maiden name <u>Elizabeth B.</u>
	Recorded in <u>Juarez Stake, Juarez Ward, Record of Members</u>
	Entered on record <u>#26367, Line 554.</u>
<u>Prior to 1918</u>	
This is the earliest recorded entry on church records.	
<i>Joseph T. Burt</i>	
Minister of the Church and an office Custodian of its Records	
Any erasures or changes on this certificate makes it null and void	

The Church of Jesus Christ of Latter-day Saints	
CERTIFICATE OF BIRTH	Salt Lake City, Utah, <u>1 July 1968</u>
	I hereby certify that the following is a true and accurate extract from the records of The Church of Jesus Christ of Latter-day Saints, which records are in my custody:
	MILES ARCHIBALD ROMNEY-
	Name <u>Miles P. Romney</u>
	Date of birth <u>Ninth day of November, Eighteen Hundred and Sixty-Nine.</u>
	Place of birth <u>St. George, Washington County, Utah</u>
	Father's name <u>Miles P. Romney</u>
	Mother's maiden name <u>Hannah Hill</u>
	Recorded in <u>St. George Stake, St. George 1st Ward Record</u>
	Entered on record <u>of Members, #6495, Page 2, Line 7.</u>
<u>6 January 1870</u>	
This is the earliest recorded entry on church records.	
<i>Joseph T. Burt</i>	
Minister of the Church and an office Custodian of its Records	
Any erasures or changes on this certificate makes it null and void.	

The Church of Jesus Christ of Latter-day Saints
Salt Lake City, Utah, 2 July 1968

I hereby certify that the following is a true and accurate extract from the records of The Church of Jesus Christ of Latter-day Saints, which records are in my custody: .

Name -REED GEORGE RIMNEY-

Date of birth Twenty-Seventh day of September, Nineteen Hundred and Twenty-Two

Place of birth Colonial Juarez, Chihuahua Mexico

Father's name Miles A. Rimney

Mother's maiden name Elizabeth Burrell

Recorded in Juarez Stake, Juarez Ward, Record of Births
and Blessings, 1922, Page 584, Line 7th.

Entered on record 5 March 1922

Joseph H. H. [Signature]
Historian of the Church and ex officio Custodian of its Records

Any erasure or change on this certificate makes it null and void.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (S. 2863) as amended should be enacted.



The Council of Social Scientists and Journalists

(Incorporated in the State of New York)

OFFICE OF THE SECRETARY

100 N. 3rd St., New York, N.Y.

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